

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROBIN MARIE TRUMBALL,

Defendant.

Case No. 1:06-CR-228

Hon. Richard Alan Enslen

ORDER

Defendant Robin Marie Trumball has moved pursuant to 18 U.S.C. § 3664(k) to modify her restitution payment schedule based on changes to her financial status. Defendant states in her motion that she is receiving reduced gifts from relatives. While the district courts have authority to modify restitution schedules based on a material change to an inmate's financial condition, *see Cani v. United States*, 331 F.3d 1210, 1215 (11th Cir. 2003), the instant motion is lacking in sufficient detail concerning Defendant's finances and is without supporting documentation. As such, the Court finds that Defendant has not shown a material change in her financial condition warranting modification. Additionally, section 3664(k) requires that restitution modification orders be entertained only after a certification by the United States that victims of the offense have been informed of the request for modification. *See United States v. Grant*, 235 F.3d 95, 100 (2d Cir. 2000) (discussing requirement). Since this has not been done, modification is also not procedurally proper.

THEREFORE, IT IS HEREBY ORDERED that Defendant Robin Marie Trumball's Motion to Modify Restitution Schedule (Dkt. No. 47) is **DENIED**.

DATED in Kalamazoo, MI:
April 18, 2008

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE